

October 16, 2008

At 9:00 a.m. the Gallia County Board of Commissioners met on this date for the purpose of approving the minutes of the previous meeting and approving the current bills. Commissioners present: Mr. Justin L. Fallon, President; Mr. David K. Smith, Vice-President and Mr. Howard J. "Joe" Foster, Member.

Justin Fallon entertained a motion for approval of the October 9, 2008 minutes. David Smith made and Joe Foster seconded a motion of approval as written. Roll call: Mr. Smith, yea; Mr. Foster, yea; Mr. Fallon, yea.

ANIMAL SHELTER REPORT

Week Ending	Adopted	Reclaimed	Euthanized	Died of natural causes	Rescued	Destroyed in field	Total Month
10/12	2	0	0	0	0	0	2

LEAVE DONATION APPLICATION

Commissioners received a leave donation application for Auditor's Office employee Jim Clark to donate 5.435 sick leave hours to 911 Employee Lynn Mingus for the pay period dated 10/3 thru 10/16/08. Justin Fallon entertained a motion to approve the leave donation application as requested. David Smith made and Joe Foster seconded. Roll call: Mr. Smith, yea; Mr. Fallon, yea; Mr. Foster, yea.

EMERGENCY OPERATIONS PLAN  
PROMULGATION STATEMENT

Emergency Management Director Mike Null submitted to the Commissioner the following promulgation statement for approval and signature:

*Promulgation Statement*

*Preparedness to cope with the effects of a disaster includes many diverse but interrelated elements, which must be woven into an integrated emergency management system involving all departments of local government and private support agencies, plus the individual citizen.*

*Disasters generally necessitate a sudden escalation in personnel, material and guidance needs of the county in order to address the emergency situation. Because many lives can be lost in the confusion and disorganization that accompanies the lack of a full planning effort; planning for population protection must be a cooperative effort to prevent or reduce the effects of an event. Failure to develop an integrated disaster preparedness plan encourages salvage type act ivies instead of an effective coordinated operation.*

*Effective response to disaster events must involve coordinated efforts to avert or minimize the effects of natural or technological emergencies (including hazardous materials events) and civil or attack-related incidents including terrorism; in order to protect lives and property; and restore the stricken area to its pre-disaster status with a minimum of social and economic disruption.*

*This plan is a statement of policy regarding emergency management tasks and responsibilities involving all levels of local government including the political subdivisions and any supporting organizations within Gallia County. The plan outlines the roles and responsibilities during an emergency or disaster situation. The Gallia County Emergency Operations Plan (EOP) was developed pursuant to Section 5502, 5919 and Chapter 3750, Ohio Revised Code and the Resolution by Gallia County Commissioners dated June 25, 1992, assigning emergency responsibilities.*

*s/Justin Fallon, President*

*s/David K. Smith, Vice President*

*s/Howard J. Foster, Member*

President Justin Fallon entertained a motion to approve the statement as recommended by EMA Director Null. David Smith made and Joe Foster seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

ROAD STUDY REQUEST - BURNETT RD, GALLIPOLIS TWP

The Commission was presented with a letter that was copied to them from Gallipolis Township Trustees to ODOT. The letter requests that ODOT perform a study of the various options to facilitate traffic flow and mitigate possible safety concerns at the intersection of Burnett Road (T.R. 207) and US 735. The letter further states the township requests ODOT report those options to Gallipolis Township and the Gallia County Board of Commissioners in written format. No action taken.

KANAUGA - ADDISON SEWER EASEMENT MEETING

County Administrator Karen Sprague advised the Commission she will be out of town attending a mandatory CDBG training conference in Cambridge, Ohio from 11/12/08 thru 11/14/08 and will not be able to attend the KA sewer easement meeting scheduled for 11/13/08. Ms. Sprague advised that the Commission should proceed with the meeting as scheduled. Along with the Commissioners, Sewer Engineer Gary Silcott will be present to answer any owner questions and the Assistant Clerk will be present to notarize and make copies of the easements. Ms. Sprague presented the Commission with a draft letter to notify the property owners of the meeting.

Commissioners stated they would proceed with the meeting as scheduled as long as Mr. Silcott came prepared to explain the easements to the residents and have all easement paperwork requiring signatures. Ms. Sprague advised she would contact Mr. Silcott to assure he came prepared.

KANAUGA-ADDISON SEWER PROJECT UPDATE

The Commission was presented with a letter from USDA advising that the Plans, Specifications, and Bidding Documents for the Kanauga/Addison Sewer Project have been approved for bidding purposes. The County Administrator is obtaining the Environmental Review Release for this project as well. The process involves the following:

- Early Floodplain & Wetland Notices published on 10/10/08 with a 15 day comment period ending 10/27/08
- Final Floodplain & Wetland Notices will be published on 10/29/08 with a 7 day comment period ending 11/5/08
- Notice to Public of a Finding of No Significant Impact on the Environment and Notice of Intent to Request Release of Funds will be published on 10/29/08 with a 15 day local comment period ending 11/13/08 and with a 15 day state comment period ending 12/3/08
- Request for Release of Funds will be mailed to ODOD on 12/4/08
- The project can be bid during November 2008, however it cannot be awarded until we receive the release of funds from ODOD which will be sometime after 12/4/08

**FAA GRANT 2008 DRAW #2 APPROVAL**  
**GALLIA-MEIGS REGIONAL AIRPORT PROJECT**

The County Administrator presented the Commission with FAA grant 2008 draw #2 forms requesting \$13,055.00 from the County's FAA grant for Delta Airport Consultants engineering services for the Gallia-Meigs Regional Airport Master Plan Project. Justin Fallon entertained a motion to approve and sign the grant draw #2 forms for payment of engineering invoices as presented. Joe Foster moved and David Smith seconded this motion. Upon roll call votes were as follows: Justin Fallon, yea; David Smith, yea; Joe Foster, yea.

**CD/FCS EDUCATOR UPDATE**

CD/FCS Educator Amy Corbin met to update the Commissioners on several programs and upcoming meeting dates.

**CORA MILL DAMAGES – CEDRIC & HELEN LEWIS**

Cedric & Helen Lewis met with the Commissioners to express their concern over damages to their property and buildings which began in 2006 on the Cora Mill Bridge replacement project. They were unclear from the beginning of the exact location of the lines and amount of fill that would be required. They were also told that the contractor DGM was covered by liability insurance and damages would be covered. Unfortunately this was a verbal understanding and they failed to get that in writing; to later find that DGM would not accept responsibility. They sought guidance and assistance to resolve several issues of concern.

The Commissioners explained that even though it is a county road, ODOT was the contracted agent for this project and these issues should be addressed by them. The Commissioners also have no authority over the County Engineer regarding this matter but advised that they would inform him of their concerns.

**SOLID WASTE HAULER POLICY**

Environmental Director Barbara Bradley met with the Commissioners to discuss the proposed updated Solid Waste Haulers Policy and asked for their assistance with enforcement of the rules at the landfill by refusing tipping fees to those haulers not in compliance. Commissioner Joe Foster wanted to be sure that any issues regarding the landfill be communicated with Morgan Township; and Commissioner Fallon stated that the resolution is not being approved to turn people away, its purpose is to make the trash disposal process cleaner and safer. Ms. Bradley requested they adopt the following resolution in support of the policy:

**RESOLUTION**

*The Board of County Commissioners of Gallia County, Ohio, met in regular session on the 16th day of October, 2008, and the following members were present: Justin L. Fallon, President; David K. Smith, Vice President; Howard J. Foster, Member.*

*WHEREAS, The Gallia County Board of Health has authority to adopt policies for the public health, the prevention or restriction of disease, and the prevention, abatement, or suppression of nuisances pursuant to ORC 3707.01 and ORC 3709.20 and/or ORC 3709.21.*

*WHEREAS many nuisances are caused by improper disposal of solid waste, and/or littering, diseases may be spread by vectors which have come in contact with improperly disposed of solid waste, and solid waste haulers have a direct influence on how and where the disposal of solid waste occurs*

*WHEREAS the Board of County Commissioners of Gallia County, Ohio, is in full support of the Health Departments efforts to improve the safety of the vehicles used in collecting trash and help prevent the Haulers from littering the roads of Gallia County.*

*THEREFORE be it resolved, by that each person, firm, governmental entity, or corporation who owns/operates a solid waste hauling operation shall comply with the "Solid Waste Haulers Policy" and the Gallia County Landfill may refuse tipping at the landfill if the Haulers are non-compliant. Whoever violates this regulation shall be subject to the penalties of ORC 3709.00 or 3707.02.*

David Smith moved to approve the adoption of the Resolution and Joe Foster seconded the motion. Roll call being called upon its adoption the vote resulted in as follows: Justin L. Fallon, Yea; David K. Smith, Yea; Howard J. Foster, Yea.

*Adopted this 16<sup>th</sup> day of October, 2008.*

**BOARD OF COUNTY COMMISSIONERS OF GALLIA COUNTY, OHIO**

*s/Justin L. Fallon, President*

*s/David K. Smith, Vice President*

*s/Howard J. Foster, Member*

**BOND PROPOSALS FROM LOCAL BANKS – EMS STATION PROJECT**

At 10:30 a.m. President Justin Fallon opened the following bids for the bond proposals from local banks for the EMS Station project:

- Ohio Valley Bank 3.99% for 25 years, no fees.
- Farmers Bank 4.5% for 25 years.

The bids were turned over to County Administrator Karen Sprague for her review and recommendation.

#### OHIO COORDINATION PROGRAM

Teresa Varian, Gallia-Meigs Community Action Agency Development Director and Community Services Director Sandy Edwards met with the Commissioners to inform them of a grant to subsidize the salary and fringes of the coordinator (mobility manager) for the Non-Emergency Transportation program and they will provide a 20% match. David Smith made and Joe Foster seconded the motion to approve the following resolution. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

#### AUTHORIZING RESOLUTION

A resolution authorizing the submittal of (a) application(s) with the Ohio Department of Transportation for grants through the US DOT Federal Transit Administration (FTA), as authorized under Federal Transit Laws, as codified, 49 USC Chapter 53, and executing a contract with the Ohio Department of Transportation upon grant application acceptance.

WHEREAS, the Director of the Ohio Department of Transportation is authorized to make grants for public bodies, private nonprofit organizations and other eligible entities;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the project costs in the program;

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under 49 USC Chapter 53 the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements there under; and

WHEREAS, it is the goal of the Applicant that disadvantaged business enterprise be used to the fullest extent possible in connection with this/these project(s), and that definite procedures shall be established and administered to ensure that disadvantaged businesses shall have the maximum construction contracts, supplies, equipment contracts, or consultant and other services.

NOW, THEREFORE, BE IT RESOLVED BY Gallia County Board of Commissioners

1. That Gallia-Meigs Community Action Agency is authorized to execute and submit a CY 2009 Ohio Coordination Program application(s) on behalf of Gallia County Commissioners with the Ohio Department of Transportation to aid in the financing of capital and operating assistance projects pursuant to 49 USC Chapter 53.
2. The Gallia-Meigs Community Action Agency is authorized to execute and file with such application and assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.
3. That Theodore T. Reed, III, Executive Director, Gallia-Meigs Community Action Agency is authorized to furnish such additional information as the Ohio Department of Transportation may require in connection with the application for the program of projects submitted to FTA.
4. That Theodore T. Reed, III, Executive Director, Gallia-Meigs Community Action Agency is authorized to set forth and execute affirmative disadvantaged business policies in connection to any procurement made as part of the project.
5. That Gallia-Meigs Community Action Agency is authorized to execute grant agreements on behalf of Gallia County Commissioners with the Ohio Department of Transportation for aid in the financing of capital assistance projects. All audit, matching funds, etc. are the responsibility of Gallia-Meigs Community Action Agency.

The undersigned duly qualified and acting President of the Board of Gallia County Commissioners certifies that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the Gallia County Commissioners held on October 16, 2008.

*s/Justin L. Fallon, President*  
Gallia County Board of Commissioners

#### EXECUTIVE SESSION

At 10:57 a.m. Justin Fallon entertained a motion to enter into executive session with JFS Director Dana Glassburn for personnel issues. David Smith made and Joe Foster seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea. Returned to regular session at 11:30 a.m.; no action taken.

#### FAMILY SERVICES PLANNING COMMITTEE

11:34 A.M. The Family Services Planning Committee met for their first meeting with President Justin Fallon and County Administrator being members of this committee. Also attending from JFS was Dana Glassburn and Fred Childers. A Title XX County Profile Narrative was distributed which stated the following: The JFS shall biennially develop and submit to the DJFS a profile of Title XX Services to be provided during the next two years (July 1, 2009 – June 30, 2011). The profile shall include services to be provided, the estimated unduplicated number of persons to be served, and estimated total expenditures. Eligible categories for Title XX services are determined by the CDJFS based on allocations provided by ODJFS.

The County JFS has developed a proposed profile to offer the following Title XX services:

- Education and Training – Services to improve an individual's knowledge base through educational opportunities and may include activities such as screening, assessments, testing and counseling.
- Employment Services – To assist individuals in securing employment or acquiring skills that promote opportunities for employment.
- Home Delivered Meals – Activities designed to prepare and deliver one or more meals a day to an individual's residence to prevent institutionalization, malnutrition, and feelings of isolation.

- Information and Referral – The provision of information about services provided by public or private service providers and referral to community resources.
- Protective Services for Adults and Children – To prevent or remedy abuse, neglect, or exploitation of adults and children with activities that include investigation, intervention, counseling, and legal action.
- Transportation – The arrangement of travel for individuals to access medical care.

JFS Director requested a recommendation for approval of the Title XX County Profile. David Smith made and Joe Foster seconded the motion to approve as submitted. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

**DJFS**

Director Dana Glassburn advised that they will be facing the following shortages from state cuts and matching federal funds in comparison to current budgets - Public Assistance fund \$324,000 and Child Support Fund \$216,000. JFS is working to make sure the customer has the services they need and hope to maintain the same level of services.

**\* 12:00 Noon - The Commissioners left the meeting to attend the Senior Center Board of Directors Annual Meeting and Dinner.**

**SOLID WASTE PLAN**

The Commissioners received a copy of the updated Solid Waste Plan and a resolution for ratification. David Smith moved and Joe Foster seconded the motion to approve the following resolution. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

**COMMISSIONERS OF THE  
COUNTY OF GALLIA  
GALLIA COUNTY, OHIO**

**BE IT RESOLVED BY THE COMMISSIONERS OF THIS COUNTY AS FOLLOWS:**

**SECTION ONE** *the Draft Solid Waste Management Plan of the Gallia, Jackson, Meigs & Vinton Solid Waste Management District is APPROVED.*

**SECTION TWO** *This resolution has been adopted in a regularly scheduled public meeting, after discussion only in public meetings, with no executive sessions and complies with Ohio's Sunshine Law.*

**SECTION THREE** *This resolution shall take effect at the earliest time allowed by law.*

**The Gallia County Commissioners:**

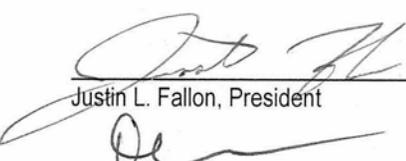
*s/Justin L. Fallon, President*

*s/David K. Smith, Vice President*

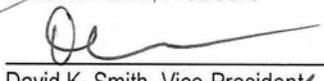
*s/Howard "Joe" Foster, Member*

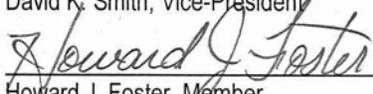
**ADJOURN**

At 1:45 p.m. Justin Fallon entertained a motion for adjournment. David Smith made and Joe Foster seconded the motion. Roll call: Mr. Fallon, yea; Mr. Foster, yea; Mr. Smith, yea.

  
Justin L. Fallon, President

  
Terry Hemby, Clerk

  
David K. Smith, Vice-President

  
Howard J. Foster, Member